

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RODNEY MAJOR,
Plaintiff,

v.

MICHAEL J. ASTRUE,¹
Commissioner of Social Security,
Defendant

CIVIL ACTION

No. 06-3634

ORDER

AND NOW, this 25th day of Sept, 2007, upon careful consideration of the Report and Recommendation filed by United States Magistrate Judge Peter B. Scuderi, and upon independent review of the Cross Motions for Summary Judgment filed by the parties, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. Plaintiff's Request for Review is GRANTED.
3. Defendant's Request for Review is DENIED.
4. The decision of the Commissioner which denied supplemental security income and disability benefits to the Plaintiff is VACATED, and the case is REMANDED for further proceedings in accordance herewith.

BY THE COURT:


JOHN R. PADOVA, J

¹On February 12, 2007, Michael J. Astrue succeeded Jo Anne B. Barnhart as the Commissioner of the Social Security Administration and therefore automatically replaced her as the defendant in this action. See 42 U.S.C. § 405(g) (2007); Fed. R. Civ. P. 25(d)(1).